

Remarks

Claims 1-12 are at issue. Claims 7 & 8 stand rejected based on 35 USC 102(e) as being anticipated by Park (2004/0195227). Claims 1-6 & 9 stand rejected based on 35 USC 103(a) as being unpatentable over Park (2004/0195227). Claims 10-12 stand rejected based on 35 USC 103(a) as being unpatentable over Park in view of Graflind (4,788,417) and further in view of McCann (2,612,585).

The issues pointed out by the Examiner in the Specification have been corrected.

Claim 7 requires that the housing have the shape of a truncated semicircle. This is shown in FIG.s 2 & 4 of the specification. As explained in the Background section of the present application, "there is significant waste when cutting a circle or pair of semicircles from a sheet of plastic. . . . This has resulted in pricing round or semicircle heated pet mats out of the market." The point of the present application is a heated pet mat for the igloo shaped dog houses. (See Background). The shape shown in Park (2004/0195227), FIG.s 2-4, is essentially a rectangle not a truncated semicircle. The cushion 40 in Park will not fit snugly inside an igloo shaped dog house. As a result, it fails to meet one of the main goals of the present invention. Claim 7 is allowable over the prior art.

Claim 8 requires the housing be made of a fire resistant material. The Examiner states that Park uses the same material as the present application. In the present application, PVC and ABS (page 5, lines 6 & 7) are cited as possible materials for the housing. Park never mentions that his material should be fire resistant and cites as types of material, upholstery fabrics, cloth fabric, vinyl fabrics and soft leather like materials (Paragraph 39). While Park's laundry list overlaps with PVC, not all these materials are fire retardant and therefore it cannot be said that Park teaches a fire retardant material. Claim 8 is allowable.

Claim 1 requires a fire retardant material and a truncated circle folded in half. The truncated circle is shown in FIG.s 2 & 4 of the specification. As explained in the

Background section of the present application, “there is significant waste when cutting a circle or pair of semicircles from a sheet of plastic. . . . This has resulted in pricing round or semicircle heated pet mats out of the market.” The point of the present application is a heated pet mat for the igloo shaped dog houses. (See Background). The shape shown in Park (2004/0195227), FIG.s 2-4, is essentially a rectangle not a truncated circle folded in half. Claim 1 is allowable.

The Examiner states that Park uses the same material as the present application. In the present application, PVC and ABS (page 5, lines 6 & 7) are cited as possible materials for the housing. Park never mentions that his material should be fire resistant and cites as types of material, upholstery fabrics, cloth fabric, vinyl fabrics and soft leather like materials (Paragraph 39). While Park’s laundry list overlaps with PVC, not all these materials are fire retardant and therefore it cannot be said that Park teaches a fire retardant material. Claim 1 is allowable.

Claim 2 requires that the edges be sealed together along an edge. If this is so obvious, we merely ask that the Examiner cite a reference showing this feature. Until the Examiner finds such a reference, claim 2 is allowable.

Claim 3 requires that the fire retardant material be ABS. There is no suggestion in Park that the material be made of a fire retardant material or that it be made of ABS. Clearly, claim 3 is allowable over the prior art.

Claims 4 & 5 are allowable for the same reasons as claim 1.

Claim 6 further defines the truncated circle and is clearly allowable over the prior art.

Claim 9 requires that the fire retardant material be ABS. There is no suggestion in Park that the material be made of a fire retardant or that it be made of ABS. Clearly, claim 9 is allowable over the prior art.

Claims 10 & 11 are allowable as being dependent upon an allowable base claim.

Claim 12 requires that the housing have the shape of a truncated semicircle. This is shown in FIG.s 2 & 4 of the specification. As explained in the Background section of the present application, “there is significant waste when cutting a circle or pair of semicircles from a sheet of plastic. . . . This has resulted in pricing round or semicircle heated pet mats out of the market.” The point of the present application is a


heated pet mat for the igloo shaped dog houses. (See Background). The shape shown in Park (2004/0195227), FIG.s 2-4, is essentially a rectangle not a truncated semicircle. The cushion 40 in Park will not fit snugly inside an igloo shaped dog house. As a result, it fails to meet one of the main goals of the present invention. Claim 12 is allowable over the prior art.

The Examiner states that Park uses the same material as the present application. In the present application, PVC and ABS (page 5, lines 6 & 7) are cited as possible materials for the housing. Park never mentions that his material should be fire resistant and cites as types of material, upholstery fabrics, cloth fabric, vinyl fabrics and soft leather like materials (Paragraph 39). While Park's laundry list overlaps with PVC, not all these materials are fire retardant and therefore it cannot be said that Park teaches a fire retardant material. Claim 12 is allowable.

Prompt reconsideration and allowance are respectfully requested.

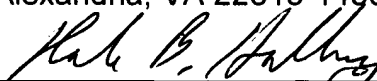
Respectfully submitted,

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